

AMENDMENT TO THE CLAIMS

Please cancel claims 2 and 13.

Please amend claims 1, 5, 8, 10, 15, and 16 as shown in the following complete list of claims:

1. (Currently Amended) A conjugate suitable for use *in vivo* to distinguish ~~distinguishing~~ cancerous or inflamed tissue from healthy tissue comprising a fluorescent moiety and a carrier, wherein the fluorescent moiety and the carrier are bonded to one another via an ester bond, an amide bond or a Schiff base, and wherein said carrier is ~~a protein~~ human serum albumin.

2.-3. (Canceled).

4. (Withdrawn) A conjugate for distinguishing cancerous or inflamed tissue from healthy tissue comprising a fluorescent moiety and a plurality of carriers, wherein said fluorescent moiety and said carriers are bonded to one another via an ester bond, an amide bond or a Schiff base, and wherein said carriers are proteins.

5. (Currently Amended) ~~The conjugate of claim 1,~~ A conjugate for distinguishing cancerous or inflamed tissue from healthy tissue comprising a fluorescent moiety and a carrier, wherein the fluorescent moiety and the carrier are bonded to one another via an ester bond, an amide bond or a Schiff base, wherein said carrier is a protein, and wherein the fluorescent moiety comprises an acid group, a hydroxyl group, an amino group or an aldehyde group.

6. (Previously Amended) The conjugate of claim 15, wherein the excitation wavelength is 630 to 850 nm.

7. (Withdrawn) The conjugate of claim 18, wherein the excitation wavelength is 320 to 450 nm.

8. (Currently Amended) ~~The conjugate of claim 1,~~ A conjugate for distinguishing cancerous or inflamed tissue from healthy tissue comprising a fluorescent moiety and a carrier, wherein the fluorescent moiety and the carrier are bonded to one another via an ester bond, an amide bond or a Schiff base, wherein said carrier is a protein, and wherein the fluorescent moiety comprises a porphyrin, a chlorine, a bacteriochlorine, a chlorophyll, a

phthalocyanine, a carboxy cinnamic acid, a carboxyfluorescein, an acridic acid, a coumaric acid, or an indocyanine green.

9. (Withdrawn) A conjugate for distinguishing cancerous or inflamed tissue from healthy tissue comprising a plurality of fluorescent moieties and a carrier, wherein said fluorescent moieties and said carrier are bonded to one another via an ester bond, an amide bond or a Schiff base, and wherein said carrier is a protein.

10. (Currently Amended) ~~A method of producing the conjugate of claim 1~~ a conjugate for distinguishing cancerous or inflamed tissue from healthy tissue comprising a fluorescent moiety and a carrier, wherein the fluorescent moiety and the carrier are bonded to one another via an ester bond, an amide bond or a Schiff base, and wherein said carrier is a protein, comprising:

(a) reacting a fluorescent compound with a carrier, wherein at least one activated functional group of said fluorescent compound reacts with -OH or =NH groups of said carrier, thereby forming an amide bond, ester bond or Schiff base.

11.-14. (Canceled).

15. (Currently Amended) ~~The conjugate of claim 1,~~ A conjugate for distinguishing cancerous or inflamed tissue from healthy tissue comprising a fluorescent moiety and a carrier, wherein the fluorescent moiety and the carrier are bonded to one another via an ester bond, an amide bond or a Schiff base, wherein said carrier is a protein, and wherein the fluorescent moiety has an excitation wavelength of 630 nm or greater.

16. (Currently Amended) A composition comprising ~~the conjugate of claim 1~~ a conjugate for distinguishing cancerous or inflamed tissue from healthy tissue comprising a fluorescent moiety and a carrier, wherein the fluorescent moiety and the carrier are bonded to one another via an ester bond, an amide bond or a Schiff base, and wherein said carrier is a protein, and
an acceptable carrier or excipient.

17. (Canceled).

18. (Withdrawn) The conjugate of claim 1, wherein the fluorescent moiety has an excitation wavelength of 450 nm or less.